REMARKS

The Office Action dated March 18, 2008 has been received and carefully noted. The above amendments to the specification, drawings and claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-10 and 20-46 are pending in the application, of which claims 1, 10, 20, 36, 41, and 46 are independent. Specifically, Applicants amended 1-10 and 20-22, cancelled claims 11-19, and added new claims 23-46 to more particularly point out and distinctly claim the subject matter of the present application. It is respectfully submitted that the amendments and claim additions add no new subject matter to the present application and serve only to place the present application in better condition for examination. Therefore, entry of the amendment and claim additions and reconsideration and allowance of claims 1-10 and 20-46 are respectfully requested. In particular, it is believed that all grounds for rejection in the Office Action have been addressed and that the present application is currently in condition for allowance in view of the amendment and the following arguments.

Objections to the Claims

The Office Action objected to claims 1, 10, 19, and 20. For example, claims 10, 19, and 20 were objected to due to the use of the phrase "adapted to" in these claims. Claims 1, 10, and 20 were objected to as allegedly lacking appropriate preambles and/or transition phrases. Applicants have made appropriate corrections to these and other claims to address these and other clarity concerns and to better conform to preferred U.S.

patent practice. Therefore, Applicants urge that this objection to claims is now moot in view of the current claim amendments.

Objection to the Drawings

The Office Action objected to the drawings as failing to disclose the recitation of a "control portion." Applicants note that the Office Action did not reject the pending claims on these grounds because the "control portion" is fully disclosed in the specification and in the original claims. In response to this objection to the drawings, Applicants have added a new Figure 4 that schematically depicts the SIP message with a control portion as disclosed in the present application, and have also made corresponding amendments the specification. Therefore, Applicants urge that this objection to drawings is now moot in view of the amendments to the drawings and the corresponding amendments to the specification.

Rejection under 35 U.S.C. 102(e)

Claims 1-3 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003-0187992 (Steenfeldt). Applicants respectfully submit that that this rejection is legally and factually improper because Steenfeldt fails to disclose each and every limitation in claims 1-3, as well as any of the other pending claims.

Independent claim 1, from which claims 2-9 and 33-35 depend, relates to a method comprising receiving a session initiation protocol message transporting one of at least two types of message service, a first message service being real-time and a second

message service being bulk. The session initiation protocol message comprises a control portion, and the control portion comprises an identification of the type of message service transported by the session initiation protocol message.

As described below, Steenfeldt does not disclose or suggest each and every limitation of independent claim 1, as described above.

Applicants note that Steenfeldt generally discloses a system for managing a plurality of services triggered by a message of a session protocol such as SIP controlling a communication session (See Steenfeldt at FIGS. 2-3 and the supporting text). Execution rules specify a condition for invoking a service and executing the execution rules in a predetermined order causes a first service to be invoked if the message fulfills a first condition, resulting in a first modified message, and a second execution rule causes a second service to be invoked with the first modified message as an input if the first modified message fulfills a second condition specified by a second execution rule (See Steenfeldt at FIG. 7 and the supporting text).

Specific examples of services in Steenfeldt are given in paragraph [0111] where service S1 is triggered on message body content of ".gif" format and service S1 converts the .gif format into a ".jpg" format. Service S2 is also triggered on message body content of .gif format and service S2 converts the .gif picture into a black and white picture. The services in Steenfeldt are operations for performing on received SIP messages.

However, in embodiments of the present application as recited in claim 1, the 'message service' is a communication service between nodes of a network, for example a short message service (SMS) enables simple messages to be sent between mobile

terminals in a wireless communication system. Instant messaging is another example of a message service disclosed in the present application. As recited in claim 1, the message services of embodiments of the present applicants are transported across a network by a session initiation protocol (SIP) message.

The recited embodiment of claim 1 therefore advantageously allows message services of different types to be sent to a single application server whereby the message content may be the same for both a first type of message service and a second type of message service. As described in the background of the present application, different types of message service may be required in conventional communications networks to be directed to different application servers, as identified by a field in the control portion of the message. Thus, the recited embodiment of claim 1 better enables a communications system to transport messages of different types easily, by allowing the messages to be sent to the same application server initially and have the same message content other than a field in the control portion of the message.

Applicants therefore note that Steenfeldt does not disclose the recitation from claim of "receiving a session initiation protocol message transporting one of at least two types of message service." As depicted in Figure 1 of Steenfeldt and described in paragraph [0093], the services of Steenfeldt (101-105) are managed by user agents (106-108) or intermediate network servers (109). Applicant therefore note that the services operate on SIP messages, but the SIP messages do not transport the services, as recited in claim 1. Thus, Steenfeldt does not disclose the limitation of claim 1 of "wherein the at least two types of message service are transported by a SIP message."

Specifically, the 'services' disclosed in Steenfeldt are conceptually different to the 'message services' of embodiments of the present invention, such that the 'services' of Steenfeldt cannot be equated to the 'message services' of embodiments of the present invention. Applicants, therefore, urge that Steenfeldt does not disclose or suggest the limitation from claim 1 that "a first message service type being real-time and a second message service type being bulk." As described in the present application, these types of message services are provided for communications between nodes on a network and are transported by SIP messages. The message services as recited in claim 1 and as defined in the present application are not services stored on user agents or intermediate network servers which operate on incoming SIP messages, as disclosed in Steenfeldt.

Applicants further note that Steenfeldt similarly does not disclose the limitation from claim 1 of "wherein the control portion comprises an identification of the type of message service transported by the session initiation protocol message." This limitation from claim 1 further clarifies that the message service is transported by the session initiation protocol message, and hence further clarifies the distinction between embodiments of the present invention over Steenfeldt.

In view of these significant distinctions between the "services" of Steenfeldt and the "message services" of the present application in claim 1, Applicant urge that Steenfeldt clearly does not disclose the limitations of claim 1 and does not address the same problem as that solved by embodiments the present application. It thus follows that the disclosure in Steenfeldt cannot be easily adapted to address the transporting at least two types of message service using session initiation protocol messages, as recited in

claim 1. It is therefore respectfully submitted that the combination of features recited in independent claim 1 is allowable over Steenfeldt for at least these reasons. Likewise, claims 2-3 are also allowable for their dependence from allowable claim 1, as well as for the additional recitations in this claims. Reconsideration and allowance of claims 1-3 are therefore respectfully requested.

Applicants further urge that independent claims 10, 20, 36, 41 and 46, and their dependent claims, also recite similar limitations related to message services and are therefore also allowable over Steenfeldt for the similar reasons as those presented above regarding the allowability of claim 1.

Rejection under 35 U.S.C. 103(a)

Claims 4-7 and 9 were rejected under 35 U.S.C. §103(a) as being allegedly obvious in view of the combination of Steenfeldt and the Network Working Group's Request for Comments 3261 (RFC 3261). Specifically, the Office Action alleged that Steenfeldt disclosed the limitations of the base claim 1 and that RFC 3261 disclosed the limitations separately recited in claims 4-7 and 9. As described above, Steenfeldt does not relate to the handling of multiple message services. Applicants urge that RFC 3261 does not cure these deficiencies. Therefore, this rejection of claims 4-7 and 9 in view of the combination of Steenfeldt and RFC 3261 is technically and factually improper and should be withdrawn.

Applicants note that RFC 3261 generally relates to SIP messaging, but does not address the technical problem of transporting multiple services using the SIP messages.

Therefore, claims 4-7 and 9 are allowable over Steenfeldt and RFC 3261 on at least these grounds.

Applicants further note that claim 1 recites a control portion that includes an indication of the type of message service. Applicants urge that RFC 3261 contains no such disclosure. For example, section 7.3 of RFC 3261 relates to the format of the SIP header but does not teach or suggest a control portion that includes an indication of the type of message service. Reconsideration and allowance of claims 4-7 and 9 are also respectfully requested on these separate grounds.

Claim 8 was rejected under 35 U.S.C. §103(a) as being allegedly obvious over the combination of Steenfeldt and RFC3261, further in view of U.S. Patent Publication No. 2007-0042815(Trap). Specifically, the Office Action alleged that Steenfeldt and RFC 3261 disclosed the limitations recited in claim 7, and Trap disclosed the addition limitations recited in claim 8. Applicants urge that this rejection is legally improper, and this rejection of claim 8 should be withdrawn because Trap is not citable prior art against the present application, as described below.

Applicants note that Trap is not citable prior art against the present application because Trap does not satisfy the requirements of 35 U.S.C. §102(e). Specifically, Trap is based upon a PCT international patent application filed in December 2002, whereas the present application claims priority under 35 U.S.C. §119 to a Great Britain patent application filed in April 2002. Therefore, Trap is not available as prior art to the present application, since the present application has an earlier effective filing date.

Applicants further note that Trap also cannot be cited against the present application under 35 U.S.C. §103(c). In particular, 35 U.S.C. §103(c)(1) provides that:

> Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Applicants urge that the first requirement of 35 U.S.C. §103(c)(1) is met since Trap was published after the effective filing date of the present application, and therefore can only be cited under 35 U.S.C. §102(e).

Applicants further urge that the second requirement of 35 U.S.C. §103(c)(1) is also met since both Trap and the publication of the present application are assigned on their faces to Nokia Corp. and the present invention was under an obligation of such an assignment at the time the invention was made Applicants further note that the inventors in Trap executed an assignment to Nokia Corp., recorded at reel 018277, frame 0017 on September 20, 2006. Similarly, the inventors in the present application executed an assignment to the same assignee, and this assignment is recorded at reel 016655, frame 0154 on November 9, 2004. Therefore, these recorded assignments clearly show that the inventors in Trap and the present application had a duty to assign to the same assignee at the time of invention of the present application.

Applicants further note that under MPEP §706.02(l)(2):

> Applications and references (whether patents, patent applications, patent application publications, etc.) will be considered by the examiner to be owned by, or subject to an obligation of assignment to the same person, at the time the invention was made, if the applicant(s) or an attorney or agent

> of record makes a statement to the effect that the application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

Applicants herein make such a statement that the inventors in both Trap and the present application had a duty to assign to the same assignee at the time the invention was made.

In summary, Applicants therefore urge that Trap is not legally citable under 35 U.S.C. §103(a) against the present application. Therefore this rejection of claim 8 is legally improper and cannot be maintained. Furthermore, as admitted in the Office Action, Steenfeldt and RFC 3261 by themselves do not disclose or suggest each and every limitation of claim 8.

Applicants further note that since a proper rejection has not been made against claim 8, any rejection of claim 8 in a future action is not in response to amendment to claim 8 or an information disclosure statement, and therefore must be "non-final" (MPEP §706.07(a)).

Claims 10-11, 13-16, and 18-22 were rejected under 35 U.S.C. §103(a) as being allegedly obvious in view of the combination of Steenfeldt and the standard ETSI Ts 123 140 v4.6.0: Multimedia Messaging Service (TS 23.140). As an initial note, claims 11, 13-16, and 18-19 are presently cancelled. The Office Action alleged that Steenfeldt disclosed all recitations independent claims 10 and 20, except for "first and second application servers associated with first and second message service types," but that this deficiency is cured by TS 23.140. As described above, Steenfeldt does not relate to the

handling of multiple message services as recited in claims 10 and 20, despite the allegations of Office Action. Applicants urge that TS 23.140 does not cure these deficiencies in Steenfeldt. Therefore, this rejection of claims 10 and 20-22 in view of the combination of Steenfeldt and TS 23.140 is technically and factually improper and should be withdrawn.

Applicants note that TS 23.140 generally relates to Multimedia Messaging Service (MMS), but does not address the technical problem of transporting multiple services using the SIP messages. Therefore, claims 10 and 20-22 are allowable over Steenfeldt and TS 23.140 on at least these grounds.

Claim 12 was rejected under 35 U.S.C. §103(a) as being allegedly obvious in view of the combination of Steenfeldt and TS 23.140, further in view of RFC 3261. Also, claim 17 was rejected under 35 U.S.C. §103(a) as being allegedly obvious in view of the combination of Steenfeldt and TS 23.140, further in view of Trap. Applicants note that these claims are currently cancelled, and therefore, there rejections are now moot.

New Claims

Applicants respectfully note that claims 23-46, although patentably distinct, similarly recite limitation related to transporting multiple message services types using SIP messages having a specially configured header. Consequently, these claims are also allowable over the cited references for at least the reasons presented above. Consideration and allowance of claims 23-46 are therefore requested.

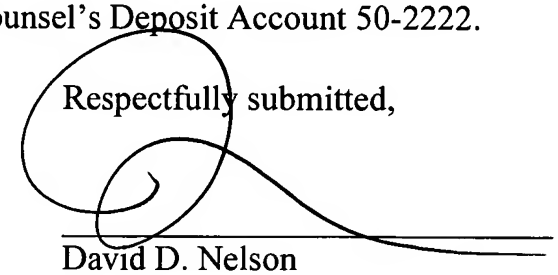
Conclusion

In view of the foregoing, Applicants respectfully submit that each of the claims 1-10 and 20-46 recites subject matter which is neither disclosed nor suggested by the cited references. It is therefore respectfully requested that these pending rejections be withdrawn, and this application pass to issue with the allowance of pending claims 1-10 and 20-46.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: New Figure 4